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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/873,173      | 06/01/2001  | Henri Daniel Schnurmann | YOR920010427US1     | 2988             |

7590 12/28/2005

Louis J. Percello  
Intellectual Property Law Dept.  
IBM Corporation  
P.O. Box 218  
Yorktown Heights, NY 10598

EXAMINER

VAN DOREN, BETH

ART UNIT PAPER NUMBER

3623

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/873,173

Applicant(s)

SCHNURMANN ET AL.

Examiner

Beth Van Doren

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 8,9,19-21,32,33 and 35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,10-18,22-31 and 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The following is a non-final office action in response to the communications received 09/30/2005. This communication was a response to a restriction requirement. Claims 1-35 are pending. Based on Applicant's election of Group I without traverse, claims 8-9, 19-21, 32-33, and 35 are withdrawn from further consideration. Claims 1-7, 10-18, 22-31, and 34 are addressed in the rejections below.

#### ***Election/Restrictions***

2. Examiner acknowledges Applicant's election of Group I, claims 1-7, 10-18, 22-31, and 34, without Traverse.

3. Claims 8-9, 19-21, 32-33, and 35 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 09/30/2005.

#### ***Claim Objections***

4. Claim 12 is objected to because of the following informalities: unclear wording. Claim 12 recites "wherein said handicapped person initiates a call to confirm an order, that delivery is on its way as soon as confirmed by said handicapped person" which should more appropriately be --wherein said handicapped person initiates a call to confirm an order and the delivery is sent as soon as confirmed by said handicapped person--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 13, 15, 22, 25, 30, 31, and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 3 recites a database includes “information selected from the group that includes: type of addressee, service requirements, [...], and any combination of these”. The scope of this claim is not clear since the number of items in the group to be selected from is not defined. The recited group from which the information is selected would contain one piece of information, two pieces of information, etc. all the way up to all possible combinations of the information. Since only one item of information is required to be included in the database, examiner has construed for examination purposes that only one piece of information is required in the group. Clarification is required.

7. Claims 13, 15, 25, and 31 all recite the language “any combination thereof” when referring to possible members of groups. Therefore, using the same logic set forth above in the 35 USC §112, second paragraph, rejection of claim 1, claims 13, 15, 25, and 31 all have indefinite scope since the number of items in the group to be selected from is not defined. Since only one item of information is required to be included in the database and since only one service is required to be performed, examiner has construed for examination purposes that only one piece of information is required in the group. Clarification is required.

8. Claim 22 recites “a second database for storing information”. There is no other database recited in the system and therefore it is unclear as to why this database is referred to as a second database. Clarification is required. For examination purposes, this second database has been construed as --a database--.

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9. Claim 30, like claim 1, recites the language “any combination of these” when setting forth the items in a group. Therefore, using the same logic set forth above in the 35 USC §112, second paragraph, rejection of claim 1, claim 30 has indefinite scope since the number of items in the group to be selected from is not defined. Since only one item of information is required to be included in the database, examiner has construed for examination purposes that only one piece of information is required in the group. Clarification is required.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1, 5, 26-28, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Peapod.com. Peapod.com is disclosed in the following references:

- i. Screenshots of [www.peapod.com](http://www.peapod.com) retrieved via the Wayback Machine, [www.archive.org](http://www.archive.org), and dated 11/13/1996 (referred to herein as reference A);
- ii. Article by Walsh entitled “Survey-Mastering Information Management” from Financial Times, dated 03/15/1999 (referred to herein as reference B).

12. As per claim 1, Peapod.com teaches a method for providing a service, comprising the steps of:

cross-referencing a postal address of each client from a plurality of clients to a geographic location for each of said clients (See reference A, page 2, section 3, page 5, section 2,

page 6, and reference B, page 2, section 1, wherein the postal address (i.e. zip location) of the client is cross-referenced to a service area (geographic location));

obtaining information relative to an individualized service to be provided to at least one of said plurality of clients (See reference A, page 2, section 3, page 4, section 1, page 5, section 1, and page 10, and reference B, page 2, section 1, wherein information is obtained related to the delivery service wanted by at least one client); and

providing said individualized service to said at least one of said clients based on said cross-referencing and said information (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein delivery is provided to at least one client based on the client's zip code being within a geographic area).

13. As per claim 5, Peapod.com discloses ascertaining the status of the delivery of said service (See page 2, section 3, and page 5, section 1, wherein the status of the delivery (what day, what time window) is ascertained by the system.

14. Claims 26 and 27 are both substantially similar to claim 1 and are therefore rejected using the same art and rationale set forth above. Examiner further points out that Peapod.com is disclosed as a computer readable medium and a computer program product (See reference A, page 4).

15. As per claim 28, Peapod.com teaches a business method comprising the steps of:

having a business provide a plurality of services to a plurality of clients (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein a plurality of delivery services (grocery, drugstore, 30 minute deliveries, 90 minute deliveries, etc.) are provided to at least one client based on the client's postal information);

cross-referencing a postal address of each client from said plurality of clients to a geographical location corresponding to said postal address (See reference A, page 2, section 3, page 5, section 2, page 6, and reference B, page 2, section 1, wherein the postal address (i.e. zip location) of the client is cross-referenced to a service area (geographic location));

obtaining information relative to an individualized service to be provided to at least one client from said plurality of clients (See reference A, page 2, section 3, page 4, section 1, page 5, section 1, and page 10, and reference B, page 2, section 1, wherein information is obtained related to the delivery service wanted by at least one client); and  
providing said individualized service to said at least one client based on said geographical location and said information (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein service is provided).

16. Claim 34 is substantially similar to claim 28 and is therefore rejected using the same art and rationale set forth above. Peapod.com further disclose computer readable code means implemented in a computer medium (See reference A, page 4, and reference B, page 2, section 1)

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 2-4, 6-7, 10-18, 22-25, 29-31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peapod.com in view of Behnke (U.S. 4,360,875). Peapod.com is disclosed in the following references:

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- i. Screenshots of [www.peapod.com](http://www.peapod.com) retrieved via the Wayback Machine, [www.archive.org](http://www.archive.org), and dated 11/13/1996 (referred to herein as reference A);
- ii. Article by Walsh entitled "Survey-Mastering Information Management" from Financial Times, dated 03/15/1999 (referred to herein as reference B).

19. As per claim 2-4, Peapod.com discloses storing in a database information concerning the client and also storing information that allows a client to cross-reference a postal address and a geographic location (See reference A, page 6, and reference B, page 2, section 1). Further, Peapod.com discloses:

as per claim 2, stored information regarding a postal address and a geographic location (See reference A, page 6, and reference B, page 2, section 1) and using a data base having said information relative to said individualized service to be delivered to each of said plurality of clients (See reference A, page 2, section 3, and reference B, page 2, section 1).

as per claim 3, wherein said database includes information selected from the group that includes service requirements (See reference A, page 2, section 3, and reference B, page 2, section 1);

as per claim 4, a postal address and a geographic location for each of said clients and information relative to said individualized service to be delivered to each of said plurality of clients are stored by the system (See reference A, page 2, section 3, page 6, and reference B, page 2, section 1).

However, while Peapod.com discloses the use of data storage and databases, Peapod.com does not expressly disclose a first and a second database versus one common database.



Behnke discloses first and second storage units (See column 5, lines 55-65, column 7, lines 5-20, column 9, lines 25-40, wherein each terminal and central system has separate data storage).

Both Behnke and Peapod.com disclose providing home service delivery through an automated system with data storage. Peapod.com discloses database and storage associated with its website and software. Behnke discloses that terminal and central system have separate data storage, storing different information such as terrestrial coordinate and geographic information. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the data storage and database of Peapod.com using two separate databases in order to increase the access efficiency in retrieving data by decreasing time based on the use of multiple databases. Examiner points out that the use of a single database of two databases storing the claimed data has no functional significance in the claim limitations.

20. As per claim 6, Peapod.com discloses setting a window for completion and delivery of 30 minutes or 90 minutes (See reference A, page 2, section 3). However, Peapod.com does not expressly disclose notifying said at least one client about this completion.

Behnke discloses transmitting a notification to the client regarding required payment based on completed services (See column 8, lines 45-65, wherein the payment for completed services are charged to the user's account).

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location, the home service associated with a fee. Notifying a user of fees charged after completion of a service is well known in the service industry. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to notify a

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user of completion of a service (via a charge) in order to accurately maintain records associated with services performed for the user.

21. As per claim 7, Peapod.com discloses setting a window for completion and delivery of 30 minutes or 90 minutes (See reference A, page 2, section 3). However, Peapod.com does not expressly disclose notifying said at least one client of a planned delivery of said service.

Behnke discloses that the client is notified when a plan for delivery of service is established (See column 3, lines 55-67, wherein the service requester is informed of the plan for service (i.e. the match for door-to-door service)).

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location. Peapod.com discloses providing a person home delivery service on items such as those from the grocery or drugstore, wherein the service plan is established. Behneke discloses establishing door-to-door service based on a request of a user and notifying the user of the plan for service. It would have been obvious to one of ordinary skill in the art at the time of the invention to notify a user of a plan for delivery of service in order to more effectively establish the plan so that both parties are aware of the same details concerning the plan. See column 3, lines 55-67, of Behnke, wherein the user is contacted so he/she is aware of the plan details.

22. As per claim 10, Peapod.com teaches a method comprising:

delivering a service to a person at a postal address (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein delivery is provided to at least one client based on the client's postal information), the method including the steps of:

creating storage for cross-referencing said postal address to a geographic location for each person of a plurality persons (See reference A, page 2, section 3, page 5, section 2, page 6, and reference B, page 2, section 1, wherein the postal address (i.e. zip location) of the client is cross-referenced to a service area (geographic location) and is stored by the website/software);

creating a database for storing details pertaining said service applicable to said to be delivered at said postal address (See reference A, page 2, section 3, page 4, section 1, page 5, section 1, and page 10, and reference B, page 2, section 1, wherein information is obtained related to the delivery service wanted by at least one client, the information stored in the system);

providing said service to said person based on said cross-referenced location and on said selected information retrieved from said second database (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein delivery is provided to at least one client based on the client's postal information).

However, Peapod.com does not expressly disclose that the person is a handicapped person, a first and a second database, or that the geographic location is terrestrial coordinates.

Behnke discloses first and second storage units (See column 5, lines 55-65, column 7, lines 5-20, column 9, lines 25-40, wherein each terminal and central system has separate data storage), handicapped persons needing door-to-door services (See column 1, lines 30-45), and terrestrial coordinates related to address (See figure 5, column 7, line 58-column 8, line 10, column 9, lines 23-45, wherein the address entered in the "from" field of the interface is correlated to a neighborhood code that has coordinates, such as B2).

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location. Examiner points out that the use of the method with

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regards to handicapped persons is an intended field of use, since the fact that the client is handicapped has no bearing on the functionality of the claim. Peapod.com discloses providing a person home delivery service on items such as those from the grocery or drugstore. Behneke discloses the need of handicapped persons for door-to-door service. It is well known in the art that home delivery services are necessary for some users, such as users with severe handicaps. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide delivery service to a person with a handicap in order to more efficiently meet the needs of handicapped users in a timely and efficient manner. See column 1, lines 5-11 and 30-40, of Behneke and reference A, page 2, section 3, and page 3, section 1, both emphasizing the speed of delivery of service. Peapod.com also discusses the ease of having deliveries come to the home in reference A, page 2, sections 2-3, page 5, section 1.

Further, both Behnke and Peapod.com disclose a relation between a postal address and a geographic location as well as a database associated with the system. Peapod.com discloses database and storage associated with the website and software as well as geographical locations associated with postal information. Behnke discloses that terminal and central system have separate data storage, storing different information, as well as terrestrial coordinates associated with the postal location of a customer. It would have been obvious to one of ordinary skill in the art at the time of the invention to use terrestrial coordinates to represent the geographic location in order to more efficiently match delivery persons to clients so that the delivery person does not have to travel too far out of his way to reach the client. See column 9, lines 25-37 and 40-55, of Behnke which discloses the use of terrestrial coordinates. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the data

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storage and database of Peapod.com using two separate databases in order to increase the access efficiency in retrieving data by decreasing time based on the use of multiple databases.

Examiner points out that the use of a single database of two databases storing the claimed data has no functional significance in the claim limitations.

23. As per claim 11, Peapod.com teaches wherein said service includes providing a rapid and timely delivery of medication to said person (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein delivery is provided to at least one client within windows of 90 or 30 minutes, wherein a delivery includes a delivery from a drugstore (i.e. medications)).

However, Peapod.com does not expressly disclose that the person is handicapped or that the drugs delivered are based on renewal dates.

Behnke discloses requested service delivery wherein handicapped persons require door-to-door services, thus since the handicapped person requires door-to-door service, the handicapped person is immobile without the service (See column 1, lines 5-14 and 30-45).

However, Behnke does not discuss medications with renewal dates.

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location. Peapod.com discloses providing a person home delivery service on items such as those from the grocery or drugstore. Behneke discloses the need of handicapped persons for door-to-door service. It is well known in the art that home delivery services are necessary for some users, such as users with severe handicaps. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide delivery service to a person with a handicap in order to more efficiently meet the needs of handicapped users in a timely and efficient manner. See column 1, lines 5-11 and 30-40, of

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Behneke and reference A, page 2, section 3, and page 3, section 1, both emphasizing the speed of delivery of service. Peapod.com also discusses the ease of having deliveries come to the home in reference A, page 2, sections 2-3, page 5, section 1.

Further, reordering medication on renewal dates known to a system (be that of a doctor, a pharmacy (i.e. drug store), or a patient) is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to place drug delivery orders in Peapod.com using renewal dates in order to more accurately ensure that a patient is being administered drugs at the proper time (i.e. does not miss a date, does not overlap, etc.).

24. As per claim 12, Peapod.com discloses a person initiating a call to confirm an order and the delivery being sent as soon as confirmed by said person (See page 2, section 1, page 4, and page 7, wherein the person calls the service and the delivery is sent upon confirmation).

However, Peapod.com does not expressly disclose that the person is handicapped.

Behnke discloses requested service delivery wherein handicapped persons require door-to-door services, thus since the handicapped person requires door-to-door service, the handicapped person is immobile without the service (See column 1, lines 5-14 and 30-45).

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location. The use of the method with regards to handicapped persons is an intended field of use, since the fact that the client is handicapped has no bearing on the functionality of the claim. It is well known in the art that home delivery services are necessary for some users, such as users with severe handicaps. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide delivery service to a person with a handicap in order to more efficiently meet the needs of handicapped users in a

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timely and efficient manner. See column 1, lines 5-11 and 30-40, of Behneke and reference A, page 2, section 3, and page 3, section 1, both emphasizing the speed of delivery of service.

25. As per claim 13, Peapod.com teaches wherein said service is selected from the group that includes determining a preferred delivery mode required by said person (See reference A, page 2, section 3, page 3, section 1, page 5, section 1, wherein delivery preferences are specified).

However, Peapod.com does not expressly disclose that the person is handicapped.

Behnke discloses requested service delivery wherein handicapped persons require door-to-door services, thus since the handicapped person requires door-to-door service, the handicapped person is immobile without the service (See column 1, lines 5-14 and 30-45).

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location. The use of the method with regards to handicapped persons is an intended field of use, since the fact that the client is handicapped has no bearing on the functionality of the claim. Peapod.com discloses providing a person home delivery service on items such as those from the grocery or drugstore. Behneke discloses the need of handicapped persons for door-to-door service. It is well known in the art that home delivery services are necessary for some users, such as users with severe handicaps. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide delivery service to a person with a handicap in order to more efficiently meet the needs of handicapped users in a timely and efficient manner. See column 1, lines 5-11 and 30-40, of Behneke and reference A, page 2, section 3, and page 3, section 1, both emphasizing the speed of delivery of service. Peapod.com also discusses the ease of having deliveries come to the home in reference A, page 2, sections 2-3, page 5, section 1.

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26. As per claim 14, Peapod.com teaches a system for providing a service to an addressee at a postal address comprising:

a storage area for cross-referencing said postal address to geographic location for each addressee forming a cross-referenced location of a plurality of addressees (See reference A, page 2, section 3, page 5, section 2, page 6, and reference B, page 2, section 1, wherein the postal address (i.e. zip location) of the client is cross-referenced to a service area (geographic location) and is stored by the website/software);

a database for storing selected information relative to said plurality of addressees (See reference A, page 2, section 3, page 4, section 1, page 5, section 1, and page 10, and reference B, page 2, section 1, wherein information is obtained related to the delivery service wanted by at least one client, the information stored in the system); and

means for providing said service to at least one of said addressees based on said cross-referenced location and said selected information retrieved from said database (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein delivery is provided to at least one client based on the client's postal information).

However, Peapod.com does not expressly disclose a first and a second database or that the geographic location is associated with terrestrial coordinates.

Behnke discloses first and second storage units (See column 5, lines 55-65, column 7, lines 5-20, column 9, lines 25-40, wherein each terminal and central system has separate data storage) and terrestrial coordinates related to address (See figure 5, column 7, line 58-column 8, line 10, column 9, lines 23-45, wherein the address entered in the "from" field of the interface is correlated to a neighborhood code that has coordinates, such as B2).



Both Behnke and Peapod.com disclose a relation between a postal address and a geographic location as well as a database associated with the system. Peapod.com discloses database and storage associated with the website and software as well as geographical locations associated with postal information. Behnke discloses that terminal and central system have separate data storage, storing different information, as well as terrestrial coordinates associated with the postal location of a customer. It would have been obvious to one of ordinary skill in the art at the time of the invention to use terrestrial coordinates to represent the geographic location in order to more efficiently match delivery persons to clients so that the delivery person does not have to travel too far out of his way to reach the client. See column 9, lines 25-37 and 40-55, of Behnke which discloses the use of terrestrial coordinates. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the data storage and database of Peapod.com using two separate databases in order to increase the access efficiency in retrieving data by decreasing time based on the use of multiple databases. Examiner points out that the use of a single database of two databases storing the claimed data has no functional significance in the claim limitations.

27. Claims 15, 16, 17, and 18 are substantially similar to claims 3, 5, 6, and 7, respectively, and are therefore rejected using the same art and rationale set forth above.

28. As per claim 22, Peapod.com teaches a system for delivering at least one postal service to at least one service requester from a plurality of service requesters, each service requester being at a known postal address, the system comprising:

a cross-referencing module for cross-referencing said known postal address to a geographic location, forming a cross-referenced location for said at least one service requester

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(See reference A, page 2, section 3, page 5, section 2, page 6, and reference B, page 2, section 1, wherein the postal address (i.e. zip location) of the client is cross-referenced to a service area (geographic location) and is stored by the website/software);

a database for storing information pertaining said at least one postal service applicable to each of said plurality of service requesters to be delivered at said known postal address (See reference A, page 2, section 3, page 4, section 1, page 5, section 1, and page 10, and reference B, page 2, section 1, wherein information is obtained related to the delivery service wanted by at least one client, the information stored in the system); and

a service provider module for providing said service based on said selected information retrieved from said database at said cross-referenced location (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein delivery is provided to at least one client based on the client's postal information).

However, Peapod.com does not expressly disclose that the geographic location is associated with terrestrial coordinates.

Behnke discloses terrestrial coordinates related to postal address (See figure 5, column 7, line 58-column 8, line 10, column 9, lines 23-45, wherein the address entered in the "from" field of the interface is correlated to a neighborhood code that has coordinates, such as B2).

Both Behnke and Peapod.com disclose a relation between a postal address and a geographic location as well as a database associated with the system. Peapod.com discloses geographical locations associated with postal information. Behnke discloses using terrestrial coordinates associated with the postal location of a customer. It would have been obvious to one of ordinary skill in the art at the time of the invention to use terrestrial coordinates to represent

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the geographic location in order to more efficiently match delivery persons to clients so that the delivery person does not have to travel too far out of his way to reach the client. See column 9, lines 25-37 and 40-55, of Behnke which discloses the use of terrestrial coordinates.

29. As per claim 23, Peapod.com teaches a service requester that requests home delivery service (See reference A, page 2, section 3, page 4, section 1, page 6, and page 10, wherein delivery is requested by a service requester). However, Peapod.com does not expressly disclose that at least one service requester is a handicapped person.

Behnke discloses requested service delivery wherein handicapped persons needing door-to-door services (See column 1, lines 5-14 and 30-45).

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location. The use of the system with regards to handicapped persons is an intended field of use, since the fact that the client is handicapped has no bearing on the functionality of the claim. Peapod.com discloses providing a person home delivery service on items such as those from the grocery or drugstore. Behneke discloses the need of handicapped persons for door-to-door service. It is well known in the art that home delivery services are necessary for some users, such as users with severe handicaps. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide delivery service to a person with a handicap in order to more efficiently meet the needs of handicapped users in a timely and efficient manner. See column 1, lines 5-11 and 30-40, of Behneke and reference A, page 2, section 3, and page 3, section 1, both emphasizing the speed of delivery of service. Peapod.com also discusses the ease of having deliveries come to the home in reference A, page 2, sections 2-3, page 5, section 1.

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30. As per claim 24, while Peapod.com discloses home delivery services, Peapod.com does not expressly disclose that the home delivery service is requested by a handicapped person.

Behnke discloses requested service delivery wherein handicapped persons require door-to-door services, thus since the handicapped person requires door-to-door service, the handicapped person is immobile without the service (See column 1, lines 5-14 and 30-45).

Both Behnke and Peapod.com disclose home service based on information input into an interface at the person's home location. The use of the system with regards to handicapped persons is an intended field of use, since the fact that the client is handicapped has no bearing on the functionality of the claim. It is well known in the art that home delivery services are necessary for some users, such as users with severe handicaps. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide delivery service to a person with a handicap in order to more efficiently meet the needs of handicapped users in a timely and efficient manner. See column 1, lines 5-11 and 30-40, of Behneke and reference A, page 2, section 3, and page 3, section 1, both emphasizing the speed of delivery of service. Peapod.com also discusses the ease of having deliveries come to the home in reference A, page 2, sections 2-3, page 5, section 1.

31. Claims 25 and 29 are substantially similar to claims 13 and 2, respectively, and are therefore rejected using the same art and rationale set forth above.

32. Claim 30 is substantially similar to claim 3, as explained above in the 35 USC §112, second paragraph, rejections. Therefore, claim 30 is rejected using the same art and rationale as set forth above.

33. As per claim 31, Peapod.com discloses wherein said client is a business and said service is selected from the group of services including: providing quick purchasing (See page 7 and page 10, which discuss commercial delivery).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ilsen et al. (U.S. 6,757,898) teaches provider-patient system and the direct delivery of medications to the patient based on prescriptions and renewals.

Antonucci et al. (U.S. 2001/0028711) discloses accessing information related to a person and routing the call based on the information.

Robare (U.S. 6,601,073) discloses using geographic data (i.e. postal codes) to provide navigation function.

Warren (U.S. 6,611,751) teaches providing location based services by manipulating location-based data and geographic information.

Su (U.S. 2002/0026380) teaches a request and a delivery instruction that arranges the delivery of goods ordered electronically.

Cupps (U.S. 5,991,739) discloses obtaining a consumer's location and correlating this location with a vendor for the purpose of home delivery.

Allard et al. (U.S. 6,249,773) disclose an e-commerce site allowing a user to order shopping list items and have the items delivered.

Cardno (WO 01/22281) teaches maintaining geographic data and data concerning items in memory and compiling this data to determine spatial relationships.


"Consumers Have made it Clear" (MMR) discloses the expected increase of purchases of groceries and goods on-line, specifically with necessity users such as handicapped people.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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bvd  
December 23, 2005

  
Beth Van Doren  
Patent Examiner  
Technology Center 3600